

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARIA GONZALEZ,)	Case No.: 1:18 CV 890
)	
Plaintiff)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant)	<u>ORDER</u>

Currently pending before the court in the above-captioned case is Plaintiff Maria Gonzalez's ("Plaintiff") Motion to Proceed *In Forma Pauperis* ("IFP"). (ECF No. 3.) For the following reasons, the court adopts the Report and Recommendation ("R&R") issued by Magistrate Judge Thomas M. Parker ("Judge Parker") denying Plaintiff's IFP Motion. (ECF No. 5.) Accordingly, Plaintiff's IFP Motion is hereby denied.

On April 18, 2018, Plaintiff commenced this civil action, appealing the final administration decision denying Plaintiff's application for benefits under the Social Security Act, 42 U.S.C. §§ 423 *et seq.* (Compl., ECF No. 1.) Plaintiff also filed the instant IFP Motion. (ECF No. 3.) On April 20, 2018, Magistrate Judge Parker submitted his R&R, recommending that Plaintiff's IFP Motion be denied because, "Plaintiff's application reflects that her spouse receives enough monthly income to cover the couples' basic expenses and to provide support for their adult son, and that over \$1,100 remains for other discretionary monthly expenses." (R&R 3.) On this basis, Judge Parker recommended that the court deny Plaintiff's application to proceed IFP, and require her to pay the \$400 filing fee. (*Id.*) On April 23, 2018, Plaintiff filed a Response to Judge Parker's R&R, indicating

that she would “not be filing objections to the Court’s recommendation,” and that she would “pay the \$400 filing within fourteen (14) days of any Order requiring [the] same.” (Pl.’s Response, ECF No. 6.)

When no objection has been filed, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee’s note; *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require the district court review of a magistrate[] [judge’s] factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

In conclusion, after careful review of Magistrate Judge Parker’s R&R, and all other relevant documents in the record, the court finds no clear error. Accordingly, the court adopts as its own Magistrate Judge Parkers’s R&R (ECF No. 5) in its entirety and hereby denies Plaintiff’s Motion to Proceed IFP. (ECF No. 3.) Plaintiff shall pay the \$400 filing fee within fourteen (14) days of the date of this Order.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

May 3, 2018